

Attachment 8

State Housing Initiatives Partnership (SHIP) Plan



MEMORANDUM

TO: Tony E. Crapp, Sr.
Assistant County Manager

DATE:

FROM: Rene Rodriguez, Director
Miami-Dade Housing Agency

SUBJECT: Resolution for Economic
Development and Human
Services (EDHS) Committee
Meeting of _____

Attached is a resolution submitted by Miami-Dade Housing Agency requesting approval of the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan for fiscal years 2004-2005, 2005-2006, and 2006-2007.

Please schedule the attached item for the _____ Economic Development and Human Services Committee meeting.

Should there be any concerns regarding this item, you may contact Valeria Bland Thomas, MDHA Agenda Coordinator, at (305) 644-5114.

Attachment

_____ (TXT.)

MDHA LOG NO.: ____-04



MEMORANDUM

TO: Honorable Chairperson Barbara
Carey-Shuler, Ed. D. and Members,
Board of County Commissioners

DATE:

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Authorizing the
County Manager or His Designee
to Approve the State Housing
Initiative Partnership (SHIP) Local
Housing Assistance Plan (LHAP)
2004-2005, 2005-2006, and
2006-2007

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) authorize the County Manager or his designee to approve the attached resolution adopting the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for 2004-2005, 2005-2006, and 2006-2007.

BACKGROUND

The Board of County Commissioners approved the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) at its March 26, 2002, meeting by Resolution No. R-290-02 for fiscal years 2001-2002, 2002-2003 and 2003-2004. Attached, is the subsequent three (3) year LHAP plan which covers fiscal years 2004-2005, 2005-2006, and 2006-2007.

The Miami-Dade Housing Agency (MDHA) Affordable Housing Program originated in 1984 for the purpose of providing homeownership opportunities to individuals, families and individuals through low-interest second mortgages. The program allows a family to make up the difference between what they can afford and the cost of the home, less the down payment. Second mortgages carry interest rates from 0% to 6% for low- to moderate-income families. The monthly second mortgage payments are collected by MDHA's Loan Servicing Unit. MDHA partners with more than 20 local lending institutions in providing first mortgages to low-and moderate-income families. The program also provides low interest loans for the development and rehabilitation of affordable rental units as well.

Pursuant to Resolutions 1349-00, 1331-99 and 1287-98, the BCC authorized MDHA to exercise and perform all functions to administer the SHIP funds, approved the affordable housing programs and granted authority to the County Manager to execute contracts.

Florida Statute 420.9072(2)(b)2 requires this resolution as part of the submittal of the new Local Housing Assistance Three Year Plan. Eligible municipalities receiving a local housing distribution may use up to ten percent of program income for administration costs in accordance with Florida Statute 420.9075(6).

The Miami-Dade Housing Agency finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund. A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except the small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

It is therefore recommended that the cost of administering the program not exceed ten percent of the local housing distribution plus five percent of the program income. MDHA will assure the continued success of the SHIP program through its Affordable Housing programs which benefit the citizens of Miami-Dade County.

This item was approved by the Affordable Housing Advisory Board at its April 28, 2004, meeting.

Assistant County Manager
Tony E. Crapp, Sr.

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.

Resolution No. _____

RESOLUTION AUTHORIZING THE COUNTY
MANAGER OR HIS DESIGNEE TO APPROVE THE
STATE HOUSING INITIATIVE PARTNERSHIP
(SHIP) LOCAL HOUSING ASSISTANCE PLAN FOR
2004-2005, 2005-2006 AND 2006-2007

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board approves the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for 2004-2005, 2005-2006 and 2006-2007 as set forth in the attached memorandum; and further authorizes the County Manager or his designee to execute agreements, contracts, and amendments on behalf of Miami-Dade County, following approval by the County Attorney's Office; and to exercise amendment, modification, renewal, cancellation and termination clauses on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Honorable Barbara Carey-Shuler Ed. D., Chairperson
Honorable Katy Sorenson, Vice Chairperson
Bruno A. Barreiro Jose "Pepe" Diaz
Betty T. Ferguson Sally A. Heyman
Joe A. Martinez Jimmy L. Morales
Dennis C. Moss Dorrin D. Rolle
Natacha Seijas Rebeca Sosa
Senator Javier D. Souto

Please note, on March 16, 2004, the County Commission adopted R-377-04 which changes the effective date of resolutions relating to contracts (including amendments, modifications, change orders, leases). R-377-04 requires that we change the effective date paragraph of BCC resolutions as follows:

The Chairperson thereupon declared the resolution duly passed and adopted this _____, 2004. This resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. _____

BY: _____
Deputy Clerk

Miami-Dade Housing Agency

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED

2004/2005, 2005/2006 AND 2006/2007

Miami-Dade Housing Agency
1401 N.W. 7th Street
Miami, Florida 33125

I. PROGRAM DESCRIPTION Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.

A. Name of the participating local government and Interlocal if Applicable:
Section 420.9072(5), F.S.

Miami-Dade County

Interlocal : Yes _____ No X _____

Name of participating local government(s) in the Interlocal Agreement;

A copy of the Interlocal Agreement is attached as **Exhibit H**. N/A

B. Purpose of the program: Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.
Creation of the Plan is for the purpose of meeting the housing needs of the very low, low and moderate income households, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing.

Miami-Dade County, Florida has established the Affordable Housing Program in accordance with the provisions of Chapter 420.9072, Florida Statutes and Chapter 67-37 of the Florida Administrative Code (FAC), State Housing Initiative Partnership (SHIP) program. This program was enacted by the passage of Ordinance No. 97-65 on May 20, 1997.

The Housing Incentive Strategies as prepared by the Miami-Dade Housing Agency (MDHA) through the Development and Loan Administration will continue to provide SHIP funds to defray the costs of land acquisition, site development, new construction, rehabilitation and/or other costs associated with the development of single-family homeownership and affordable rental housing units. It is the intent of this program to increase housing opportunities for very-low, low- and moderate-income persons by encouraging the creation and rehabilitation of affordable housing units. Assistance may be provided to developers and community development corporations in the form of soft first, second, and third mortgages.

C. Fiscal years covered by the Plan: Chapter 67-37.002, F.A.C.

<u>X</u>	2004/2005
<u>X</u>	2005/2006
<u>X</u>	2006/2007

- D. Governance:** *Chapter 67-37.005(3) and (5)(i)F.A.C. and Section 420.9071(14)F.S.*
The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007 Florida Administrative Code.
The SHIP Program does further the housing element of the local government Comprehensive Plan.

During the last 12 months, public input was solicited for the Local Housing Assistance Plan primarily through one on one meetings with Private Developers, Community Development Corporation (CDC's), For Profit, Non-Profit Developers, realtors and participating lenders. These agencies provided extensive comments and made recommendations to the Miami-Dade Housing Agency on both programmatic and implementation issues which resulted in a number of enhancements to the prior years programs.

Additionally, the Miami-Dade County Affordable Housing Advisory Board (AHAB) consists of fifteen (15) members. The composition of the voting members is ethnically, racially, geographically and gender balanced and is composed of the following members.

- 1. The Board of County Commissioners appoints thirteen (13) members.*
 - a. One citizen actively engaged in the residential home building in connection with affordable housing, one citizen in the banking or mortgage banking industry in connection with affordable housing, one citizen in areas of labor actively engaged in home building in connection with affordable housing, one citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing, one citizen who is actively engaged as a for-profit provider of affordable housing, one citizen who is actively engaged as a not-for-profit provider of affordable housing, one citizen who is actively engaged as a real estate professional in connection with affordable housing, one citizen who actively serves on the local planning agency, and one citizen who resides within the jurisdiction of the local governing body making the appointments.*
 - b. For the remaining four (4) member positions, the Board of County Commissioners may consider the appointment of a member of the construction industry, a local community development corporation, attorney, architect, engineer or planning professional.*

- c. *Furthermore, a citizen shall not be eligible to serve on the Affordable Housing Advisory Board if that citizen owns financial interest in any entity that receives or applies for funding from Miami-Dade County through the Affordable Housing Advisory Board.*
- d. *The Mayor appoints one member who is a member of the construction industry, local community development corporation, attorney, architect, engineer, planning professional.*
- e. *The Overall Tenant Advisory Council (OTAC) appoints one of its members.*

E. Local Housing Partnership *Section 420.9072(1)(a), F.S.*

SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

MDHA has contracted with several homebuyer counseling entities that provide pre-homebuyer counseling, budgeting, and money management services. Completion of a homebuyer counseling program is a homeownership requirement of the MDHA affordable housing program. Additionally, MDHA has implemented a foreclosure prevention program that provides post-homebuyer counseling for new homeowners. This program also works in conjunction with lenders to purchase the loan in the event of default. In that way, MDHA could protect its investment in the property, and perhaps restructure the loan to fit the homeowner's financial situation.

F. Leveraging: *Chapter 67-37.007(1)(b)(c), F.A.C. and Section 420.9075(1)(a) and (1)(b3, and (1)(c), F.S.*

The Plans are intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide a local match to obtain federal housing grants or programs.

MDHA has developed partnerships with local lenders to leverage SHIP funds. MDHA provides second mortgage financing on behalf of the homebuyer that makes up the difference between what the banks lend and the property's purchase price. Participating lenders have also agreed to limit the cost of the loan to the homebuyer. MDHA meets regularly with the lenders and their staff to keep them abreast of program guidelines and MDHA loan process.

Through extensive coordination with other community resources, local SHIP funds are highly used to reduce the cost of housing. For example, first mortgage funding is provided by participating lenders, while SHIP funds are being utilized for second mortgages with lower interest rates. This results in lower monthly payments with a combined lower interest rate. Also, local SHIP funds have been used in addition to

local, state and federal housing dollars for multi-family developments and for providing housing to special needs and homeless populations. Miami-Dade County may provide construction loans to CDC's and private developers with the goal of preserving and increasing the affordable housing stock of Miami-Dade County. Loans are available for both homeownership and rental projects. The rate and term of each loan will vary in accordance with the funding source availability and the respective program restrictions.

G. Public Input: *Chapter 67-37.005(3), F.A.C.*

Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

The Affordable Housing Advisory Board is required to meet at least six (6) times during the County's fiscal year where the developers and the public have an opportunity to address the Board with their concerns. In addition, the Board of County Commissioners (BCC) has two public meetings that the developers as well as the individuals can attend before the BCC awards funding allocations.

H. Advertising and Outreach *Chapter 67-37.005(6)(a), F.A.C.*

The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

Miami-Dade County will advertise funds availability in area newspapers with general circulation, participate in public information programs and housing fairs, make information available on the County's website, and issue public service announcements to the print and broadcast media. To further announce the program's availability, the County distributes informational brochures to the general public and through local community based groups, lenders, and neighborhood organizations.

The Consolidated Plan Request for Applications (RFA) is advertised in three (3) local newspapers thirty (30) days prior to the beginning of the application period.

I. Discrimination: *Section 420.9075(3)(c), F.S.*

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

The Miami-Dade Housing Agency is a local government entity and complies with the Fair Housing Act.

J. Support Services and Counseling: *Chapter 67-37.005(5)(g), F.A.C.*

Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Transportation

MDHA has contracted with the Local Initiatives Support Corporation to create at least five comprehensive housing centers whose services will be available to residents of every portion of the County. These centers will be created through subcontracts with experienced nonprofit corporations, well versed in providing these types of housing counseling services. The Centers will offer a client-driven comprehensive housing counseling program to aspiring homeowners, current homeowners and renters to include but limited to pre-homebuyer counseling, budgeting, and money management services. Completion of a homebuyer counseling program is a requirement of MDHA affordable housing program.

K. Purchase Price Limits: *Section 420.9075(4)(c), F.S. and Chapter 67-37.007(6) F.A.C.*

Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above. The methodology used by Miami-Dade Housing Agency (local government) is:

☐ Bond Study Numbers provided by Florida Housing Finance Corporation

☒ Independent Study (**copy attached**)

☐ U.S. Treasury Department

The purchase price limit for:

New Homes: **\$179,000**

Existing Homes: **\$163,000**

Purchase price may be increased at a rate of 5% per year in order to reflect the sales price increase in the area.

L. Income Limits, Rent Limits and Affordability:

Chapter 67-37.005(5)(e), F.A.C. and Section 420.9071(2), F.S.

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

Although the applicant's income level may not exceed 120% of the Miami-Dade County area median income adjusted for family size, preference will be given to families with an annual income of under 80% of median. A competitive Request for Applications (RFA) is issued annually for non-profit and for-profit builders/developers to participate. A limit restricting the amount of assistance (30% of total development cost) per builder/developer will be established in order to expand the level of participation and diversity of the products. The developers are required that the applicants will be selected on a first-come, first-serve basis and to the extent permitted by law, on a basis that promotes fair housing opportunities based on need after the availability of program funds or activity are advertised.

M. Wages to Work: *Chapter 67-37.005(6)(b)(7)F.A.C.*

Should a eligible sponsor be used, the city/county has developed a qualification system and selection criteria for applications for Awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employed personnel from the WAGES and Workforce Development Initiatives programs will be given preference in the selection process.

Not applicable

N. Monitoring and First Right of Refusal: *Section 420.9075(3)(e) and (4) (f), F.S.*

In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant

eligibility will be monitored at least annually for 15 years or the term of assistance which ever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible not-for-profit organizations for purchase at the current market value for continued occupancy by eligible persons.

Miami-Dade Housing Agency monitors Developers/Owners for both programmatic and project-related compliance. An MDHA Field Officers conduct an annual on site visit to ensure that proper procedures, tenant files and forms are in accordance with program requirements. In addition, an MDHA Housing Inspector will conduct an annual on site inspection of the assisted units to ensure that they meet Housing Quality Standards (HQS) requirements.

During the monitoring visit the Field Officer will verify that the maximum monthly rents and the utility allowances charged are consistent with the rental regulatory agreement and revisions thereof. In addition, during the affordability period, the Field Officer will monitor the tenant annual income for compliance with the number of units set aside for the very-low, low and moderate income families as stated in the rental regulatory agreement. Developers/Owners must conduct an annual on-site inspection for compliance with Federal HQS. Failure to maintain the property as per Federal HQS during the affordability period may result in the County declaring the Developer/Owner in default and calling the Note due and payable.

O. Administrative Budget: Chapter 67-37.005(6)(f)3, F.A.C..

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as **Exhibit A**. These are presented on an annual basis for each State fiscal year submitted.

The Miami-Dade Housing Agency finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund. A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

The Miami-Dade Housing Agency city/county has adopted the above findings in the attached resolution, **Exhibit E.**

Miami-Dade Housing Agency shall be responsible for implementation and administration of the Local Housing Assistance Program and at a minimum shall be responsible for the following:

- 1. Overseeing the receipt and expenditures of SHIP program funds in accordance with the criteria set forth in the State Housing Initiatives Partnership Act.*
- 2. Coordinating Miami-Dade County's efforts to promote the construction and development of affordable housing with state agencies, municipalities within the County and other public and private entities.*
- 3. Evaluating the effectiveness of the County's Local Housing Assistance Program and providing recommendations to the Board of County Commissioners on an annual basis as to the performance of the Program.*

The cost of administering Miami-Dade County's Local Housing Assistance Program shall not exceed ten percent (10%) of the County's distribution of SHIP Program funds. Miami-Dade County will require approximately five percent (5%) of program income not to exceed ten percent (10%) of the SHIP allocation.

II. LHAP HOUSING STRATEGIES: Chapter 67-37.005(5), F.A.C.

Provide Description:

A. Name of the Strategy: *Homeownership Strategies – Housing Development*

a. Summary of the Strategy:

The Miami-Dade County Housing Development strategy will continue providing funds to defray the costs of new construction, rehabilitation and/or other costs associated with the development of single-family homeownership housing units through the County's competitive Consolidated Plan Request For Applications (RFA).

b. Fiscal Years Covered: 2004/2005, 2005/2006, 2006/2007.

c. Income Categories to be served:

It is the intent of this program to increase housing opportunities for very-low, low, and moderate-income persons by encouraging the creation and rehabilitation of affordable housing units. Although applicant's income level may not exceed 120% of the Miami-Dade County area median income adjusted for family size, preference will be given to families with an annual income of under 80% of median. A competitive Request for Applications (RFA) is issued annually for not-for-profit and for-profit

builders/developers to participate. A limit restricting the amount of assistance (30% of total development cost) per builder/developer will be established in order to expand the level of participation and diversity of the products. The developers are required that the end applicants will be selected on a first-come, first-serve basis and to the extent permitted by law, on a basis that promotes fair housing opportunities based on need after the availability of program funds or activity are advertised.

d. Maximum award is noted on the Housing Delivery Goals Charts:

All homes sold under the program must be affordable to very-low, low- and moderate-income persons. The sales price or value of new or existing homes which are sold or rehabilitated under the SHIP Program may not exceed 90 percent of the median purchase price for either new or existing homes, as applicable for the area where the housing is located. The local government at its direction may set the purchase price below the 90 percent benchmark. The approximate range in homes will be from \$60,000 to \$179,000.

- *Construction and Rehabilitation Loans for Homeownership Projects*

The rates charged and terms of the loans will be 0%-6%. Final determination of the rate and term will be made by the MDHA staff depending on project feasibility. Loans made to not-for-profit developers will be for a period of 24 months. Loans made to for-profit developers will be for a period for 18 months. During the period of construction, all developers will pay interest only.

The construction lending staff of MDHA will determine a release price, upon the sale of the individual unit. Any unpaid principal and accrued interest will be payable at the end of the loan.

e. Terms, Recapture and Default:

If the developer fails to meet the SHIP rules and requirements, and does not comply with the terms and conditions of the contract, MDHA will recapture the funds and reallocate them to a different strategy or developer as needed.

f. Recipient Selection Criteria:

Most funds are awarded as part of the County's Consolidated Plan Request for Applications. All funded allocations are approved by the Board of County Commissioners. The County maintains the SHIP funds until a construction loan is completed and funds are drawn down by the developer. As the funds are awarded, the developer enters into a contract with MDHA in which the terms of the contract and scope of services are outlined and finalized.

g. Sponsor Selection Criteria:

SHIP funds allocated for this strategy will be leveraged with private funds, Community Development Block Grant (CDBG), HOME, other federal funds or local Documentary Surtax Homeownership Assistance Loan Program (HALP).

h. Additional Information:

All second mortgages provided may be deferred or in the form of a loan at 0% to 6% interest for a term of 30 years. Deferred loans may be given to individuals and families at or below 100% of the area median income, on an as needed basis. All loans for homeowners require that the property is used as the principal place of residence and the property is not leased, transferred, sold or alienated, the amounts due and payable under the mortgage note shall not become due and payable, but shall be deferred. If the property is leased, transferred, sold or is no longer the borrower's primary residence, the entire principal amount plus penalties will become due and payable. When charging an interest rate, the rate will be 1% to 3% for persons with an annual income at or below 100% of the area median income and 4% to 6% for persons with annual income above 100% of the area median income. The homebuyer may sell the property at any time and must repay the county the entire amount of SHIP subsidy plus interest, if applicable, from the sales proceeds. Any proceeds remaining after all mortgages, especially the SHIP subsidy, have been repaid, shall belong to the homebuyer (seller). The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available

after the first mortgage from a private lender (if any) has been repaid. SHIP loans are not forgiven. Funds are deferred based on the Miami-Dade Housing Agency Affordable Housing Program Guidelines criteria. MDHA may provide first mortgage assistance to eligible families and individuals.

B. Name of the Strategy: *Homeownership Strategy - Housing Acquisition*

a. Summary of the Strategy:

The Miami-Dade County Housing Development strategy will continue providing funds to acquire and rehabilitate existing single-family housing units.

b. Fiscal Years Covered: 2004/2005, 2005/2006, 2006/2007

c. Income Categories to be served:

Although homeownership applicant's income level may not exceed 120% of the Miami-Dade County area median income adjusted for family size, preference will be given to families with an annual income of 80% of the median or below. At least 75% of all single-family units will be made available to very-low and low-income families and individuals.

d. Maximum award is noted on the Housing Delivery Goals Charts:

Qualified eligible applicants will be selected or awarded funds on a first-come, first-served basis and to the extent permitted by law, on a basis that provides fair housing opportunities based on need after the availability of program funds or activities are advertised. The sales price or value of new or existing homes which are sold or rehabilitated under the SHIP Program may not exceed 90 percent of the median purchase price for either new or existing homes, as applicable for the area where the housing is located, as established by the United States Department of Treasury. The local government at its discretion may set the purchase price below the 90 percent benchmark. For the housing strategy acquisition, the purchase price of an existing home may not exceed \$163,000.

e. Terms, Recapture and Default:

All second mortgages provided may be deferred or in the form of a loan at 0%-6% interest for a term of 30 years. Deferred loans may be given to individuals and families at or below 100% of the area median income, on an as needed basis. Provided that the property is used as the principal place of residence and the property is not leased, transferred sold or alienated, the entire principal amount plus penalties will become due and payable. When charging an interest rate, the rate will be 1%-3% for persons with an annual income at or below 100% of the area median income and 4%-6% for persons with annual income above 100% of the area median income. The homebuyer may sell the property at any time and must repay the county the entire amount of SHIP subsidy plus interest from the sales proceeds. Any proceeds remaining after all mortgages, especially the SHIP subsidy, have been repaid shall belong to the homebuyer (seller). The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid. SHIP loans are not forgiven. Funds are deferred based on the Miami-Dade Housing Agency Affordable Housing Program Guidelines criteria. (See attachment H)

f. Recipient Selection Criteria:

The applicants are selected on a first-come, first serve basis and to the extent permitted by law, on a basis that promotes fair housing opportunities based on need after the availability of program funds or activity are advertised.

g. Sponsor Selection Criteria:

SHIP funds allocated for this strategy will be leveraged with private funds, CDBG, HOME, other federal funds, or local Documentary Surtax Homeownership Assistance Loan Program (HALP).

h. Additional Information:

MDHA may provide first mortgage assistance to eligible families and individuals.

C. Name of the Strategy: Homeownership Strategy - Homeownership Assistance

a. Summary of the Strategy:

Miami-Dade Homeownership Assistance strategy component will continue providing funds to very-low, low- and moderate-income persons to acquire newly-constructed or existing affordable homeownership units. All potential homebuyers must be pre-qualified by participating lenders for the affordable housing program. The program also requires potential homebuyers to receive homebuyer counseling and to complete an approved homebuyer education training. The program will cover such topics as: choosing a realtor, qualifying for a mortgage, inspecting a house, entering a contract for sale, maintaining a home, handling credit affairs and other skills needed for homeownership.

b. Fiscal Years Covered: 2004/2005, 2005/2006, 2006/2007

c. Income Categories to be served:

Although applicant's income level may not exceed 120% of the Miami-Dade County area median income adjusted for family size, preference will be given to families with an annual income of 80% of the median or below.

d. Maximum award is noted on the Housing Delivery Goals Charts:

Qualified eligible applicants will be selected or awarded funds on a first-come, first-served basis and to the extent permitted by law, on a basis that provides fair housing opportunities based on need after the availability of program funds or activities are advertised. All homes sold under the program must be affordable to very-low, low- and moderate-income persons. The sales price or value of new or existing homes which are sold or rehabilitated under the SHIP program may not exceed 90 percent of the median purchase price for either new or existing by the United States Department of Treasury. The local government at its discretion may set the purchase price below the 90 percent benchmark. The approximate price range of homes will be from \$60,000 to \$179,000.

e. Terms, Recapture and Default:

All second mortgages may be deferred or in the form of a loan at 0%-6% interest for a term of 30 years. Deferred loans may be given to individuals and families at or below 100% of the area median income, on an as needed basis. Provided that the property is

used as the principal place of residence and the property is not leased, transferred, sold or alienated, the amounts due and payable under the mortgage note shall not become due and payable, but shall be deferred. If the property is leased, transferred, sold or is no longer the homebuyer's primary residence, the entire principal amount plus penalties will become due and payable. When charging an interest rate, the rate will be 1%-3% for persons with an annual income at or below 100% of the area median income and 4%-6% for persons with an annual income at or below 100% of the median (See attachment H.) The homebuyer may sell the property at any time and must repay the county the entire amount of SHIP subsidy plus interest, if applicable, from the sales proceeds. Any proceeds remaining after all mortgages have been repaid, shall belong to the homebuyer (seller). The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid. SHIP loans are not forgiven. Funds are deferred based on the Miami-Dade Housing Agency Affordable Housing Program Guidelines criteria. (See attachment H).

f. Recipient Selection Criteria:

The applicants are selected on a first-come, first serve basis and to the extent permitted by law, on a basis that promotes fair housing opportunities based on need after the availability of program funds or activity are advertised.

g. Sponsor Selection Criteria:

SHIP funds allocated for this strategy will be leveraged with private funds, CDBG, HOME, other federal funds and/or local Documentary Surtax Homeownership Assistance Loan Program (HALP).

h. Additional Information:

MDHA may provide first mortgage assistance to eligible families and individuals.

C. Name of the Strategy: *Rental Strategies – Housing Development*

a. Summary of the Strategy:

Funds will be provided to defray the costs of land acquisition, new construction, rehabilitation and/or other costs associated with the development of affordable rental housing units through the County's competitive Consolidated Plan Request For Applications (RFA). Loans for eligible rental housing constructed, rehabilitated, or otherwise assisted from the local housing assistance trust fund must be subject to recapture requirements as provided by the county or eligible municipality in its local housing assistance plan unless reserved for eligible persons for 15 years or the term of assistance, whichever period is longer. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible non-profit organizations for purchase at the current market value for continued occupancy by eligible persons. Rental units constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund must be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements. In determining the maximum allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half person per bedrooms shall be used. The Consolidated Plan Request for Applications, (RFA) is advertised in three (3) local newspapers thirty (30) days prior to the beginning of the application period.

b. Fiscal Years Covered: 2004/2005, 2005/2006, 2006/2007

c. Income Categories to be served:

Rental projects must serve applicants whose income does not exceed 80% of the median. A competitive Request for Applications (RFA) will be issued for not-for-profit and for-profit builders/developers to participate.

d. Maximum award is noted on the Housing Delivery Goals Charts:

A limit restricting the amount of assistance per builder/developer will be established in order to expand the level of participation and diversity of the products.

e. Terms, Recapture and Default:

Developers may receive SHIP assistance, which may be deferred or in the form of a loan at 0%-6% interest for a term of 30 years.

- *Construction and Rehabilitation Loans for Rental Projects*

Tax credit projects will pay 0% interest for the period of compliance. After the compliance period ends, principal and interest payments will begin at a 3% interest rate for the remainder of the loan term. Non-tax credit projects will be charged principal and interest from 0%-6%.

Final determination of rate and term will be made by the MHDA staff depending on project feasibility. During the period of construction, payments of interest only will be made. All permanent loans are for a period of 30 years.

The construction lending staff of MDHA will determine a release price, upon the sell of the individual unit. Any unpaid principal and accrued interest will be payable at the end of the loan.

f. Recipient Selection Criteria:

Funds are awarded through the Consolidated Plan Request for Applications (RFA), the County maintains the SHIP funds until a construction loan is completed and funds are drawn down by the developer. As soon as the funds are awarded, the developer enters into a contract with MDHA in which the terms of the contract and scope of services are outlined and finalized. If the developer fails to meet the SHIP rules and requirements, MDHA will recapture the funds and funds are reallocated to a different strategy or developer as needed.

g. Sponsor Selection Criteria:

SHIP funds allocated for this strategy will be leveraged with local CDBG, HOME or Documentary Surtax Homeownership Assistance Loan Program (HALP).

h. Additional Information:

III. LHAP INCENTIVE STRATEGIES

Section 420.9071(16), F.S.

A. Name of the Strategy: Expedited Permitting

Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

a. Established policy and procedures: Provide Description:

Miami-Dade County has established an expediting permitting review process for affordable housing.

Step 1. The developers/agencies (applicant) who are developing properties under the affordable housing guidelines must obtain a process number from the building departments permit issuance counter.

Step 2. Once the applicant receive the process number he/she must inform the affordable housing coordinator (AHC) that plans were submitted and give those process numbers to the AHC.

Step 3. The AHC will retrieve the plans from the front counter and process the zoning review. This review is for compliance with the Miami-Dade County Zoning Code, as to building set backs, lot coverage, building height, required parking, etc. Next the AHC will set up a file for the project which will tract the plans through out the system.

Step 4. The AHC will personally take the plans to the appropriate trades in the following order:

- *DERM (Department of Environment Resource Management)*
- *Mechanical*
- *Energy: Air Conditioning*
- *Plumbing*
- *Electrical*
- *Structural*
- *Building*
- *Handicap*
- *Planning*
- *Public Works Department*
- *Fire*

Step 5. Once the plans have been seen by the appropriate reviewers the AHC will notify the applicant that the plans are ready for pickup.

Note: Applicant is responsible for taking the plans to the following departments:

1. *Impact Fees (Public Works Impact Fees)*
2. *Public Works Concurrency*

The turn-around time for the initial review of new construction of this type is taking approximately two weeks, when the affordable housing coordinator expedites the plans through the system. Normal time will take approximately 30 days.

B. Name of the Strategy: Ongoing Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

a. Established policy and procedures: Provide Description

The Miami-Dade Housing Agency has four elements for the review process of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption. These processes are the Request for Applications (RFA) Policy Paper, the RFA Review Process, the Affordable Housing Advisory Board (AHAB), Committees established by the AHAB, before approved by the Board of County Commissioners (BCC), items must be discussed and approved by the Economic Development and Human Services Committee established by the BCC.

IV. EXHIBITS:

- A. **Administrative Budget for each fiscal year covered in the Plan. Exhibit A.**
- B. **Timeline for Encumbrance and Expenditure:** *Chapter 67-37.005(6)(d) and (f) F.A.C.*
A separate timeline for each fiscal year covered in this plan is attached as **Exhibit B.**
Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.
- C. **Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the Plan:** *Chapter 67-37.005, F.A.C.*
Completed HDGC for each fiscal year is attached as **Exhibit C.**
- D. **Certification Page:** *Chapter 67-37.005(7), F.A.C.*
Signed Certification is attached as **Exhibit D.**
- E. **Adopting Resolution:** *Section 420.9072(2)(b)2, F.S.*
Original signed, dated, witnessed or attested adopting resolution is attached as **Exhibit E.**
- F. **Program Information Sheet:**
Completed program information sheet is attached as **Exhibit F.**
- G. **Ordinance:** *Section 420.9072(3)(a), F.S.*
If changed from the original ordinance, a copy is attached as **Exhibit G.**
- H. **Interlocal Agreement:** *Section 420.9072, F.S.*
A copy of the Interlocal Agreement if applicable is attached as **Exhibit H.**

Fiscal Year 2004/2005	
Salaries and Benefits	\$ 754,932.00
Office Supplies and Equipment	\$ -
Travel Perdiem Workshops, etc	\$ -
Advertising	\$ -
	<u>\$ 754,932.00</u>

Fiscal Year 2005/2006	
Salaries and Benefits	\$ 754,932.00
Office Supplies and Equipment	\$ -
Travel Perdiem Workshops, etc	\$ -
Advertising	\$ -
	<u>\$ 754,932.00</u>

Fiscal Year 2006/2007	
Salaries and Benefits	\$ 754,932.00
Office Supplies and Equipment	\$ -
Travel Perdiem Workshops, etc	\$ -
Advertising	\$ -
	<u>\$ 754,932.00</u>

Based on a distribution of \$7,549,316

TIME/TABLE FOR STATE FISCAL YEAR 2004/2005

Exhibit B

Name of Local Government: Miami-Dade County

Program Activities	2004/2005												2005/2006												2006/2007												2007											
	Year Month	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12					
Advertise Availability of Funds		x																																														
Application Period(On-Going)			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x																							
Start Program Year		x																																														
Annual Report															x																																	
Mid-Year Review/Adjustments							x																																									
End-Year Review/Adjustments													x																																			
Encumbrance Deadline																																																
Expendure Deadline																																																
Final Program Review																																																

Directions: Type in the applicable years across the top line.

List Program Activities down left hand side. Type in an "X"

on applicable activity line under month and year the activity will be initiated or completed.

At a minimum the following activities should be included:

- 1) Advertise availability of funds and application period
- 2) Encumbrance of funds (12 months following end of State Fiscal Year)
- 3) Expenditure of funds (24 months following end of State Fiscal Year).
- 4) Submit Annual Report to FHFC (September 15th)

TIME/TABLE FOR STATE FISCAL YEAR 2005/2006

Exhibit B

Name of Local Government: Miami-Dade County

Program Activities	Year	2006/2006												2006/2007												2007/2008												2008											
	Month	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12						
Advertise Availability of Funds		x																																															
Application Period(On-Going)				x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x																								
Start Program Year				x																																													
Annual Report																x																																	
Mid-Year Review/Adjustments							x																																										
End-Year Review/Adjustments												x																																					
Encumbrance Deadline																																																	
Expenditure Deadline																																																	
Final Program Review																																																	

Directions: Type in the applicable years across the top line.

List Program Activities down left hand side. Type in an "X"

on applicable activity line under month and year the activity will be initiated or completed.

At a minimum the following activities should be included:

- 1) Advertise availability of funds and application period
- 2) Encumbrance of funds (12 months following end of State Fiscal Year)
- 3) Expenditure of funds (24 months following end of State Fiscal Year).
- 4) Submit Annual Report to FHFC (September 15th)

TIME/TABLE FOR STATE FISCAL YEAR 2006/2007

Exhibit B

Name of Local Government: Miami-Dade County

Program	2006/2007												2007/2008												2008/2009												2009											
Activities	Year	Month	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12				
Advertise Availability of Funds			X																																													
Application Period(On-Going)					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Start Program Year					X																																											
Annual Report																	X																															
Mid-Year Review/Adjustments								X																																								
End-Year Review/Adjustments														X																																		
Encumbrance Deadline																																																
Expenditure Deadline																																																
Final Program Review																																																

Directions: Type in the applicable years across the top line.

List Program Activities down left hand side. Type in an "X"

on applicable activity line under month and year the activity will be initiated or completed.

At a minimum the following activities should be included:

- 1) Advertise availability of funds and application period
- 2) Encumbrance of funds (12 months following end of State Fiscal Year)
- 3) Expenditure of funds (24 months following end of State Fiscal Year).
- 4) Submit Annual Report to FHFC (September 15th)

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

Name of Local Government: Miami-Dade County

- (1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for awards.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation with in 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.
- (13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.

Page 2

Certification

- (14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- (18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- (19) The provisions of Chapter 83-220, Laws of Florida ____ *has or* ____ *has not* been implemented.

Witness

Chief Elected Official or designee

Witness

Type Name and Title

Date

OR

Attest:
(Seal)

Exhibit E
RESOLUTION NO.

A RESOLUTION OF THE _____ COMMISSION OF THE _____
(Local Government) FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS
REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS
420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE
CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND
CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL
HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE
CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable
Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of
documentary stamp taxes on deeds to local governments for the development and
maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-
420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative
Code, requires local governments to develop a one- to three-year Local Housing
Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the the
maximum SHIP funds allowable for each strategy; and WHEREAS, the SHIP Act
further requires local governments to establish an average area purchase price
for new and existing housing housing benefiting from awards made pursuant to the
Act; The methodology and purchase prices used are defined in the attached Local
Housing Assistance Plan; and

WHEREAS, the Economic and Community Development Department has prepared a
three-year Local Housing Assistance Plan for submission to the Florida Housing
Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the
public for the _____ (local government) to submit the Local Housing
Assistance Plan for review and approval so as to qualify for said documentary

Exhibit E

stamp tax funds; and

NOW THEREFORE, BE IT RESOLVED BY THE _____ OF

THE _____, FLORIDA that:

Section 1: The _____ (commission or council) of the
_____ (local government) hereby approves the Local
Housing Assistance Plan, as attached and incorporated hereto for
submission to the Florida Housing Finance Corporation as required by
ss. 420.907-420-9079, Florida Statutes, for fiscal years
_____.

Section 2: The _____ (Chairman or Mayor or designee), is
hereby designated and authorized to execute any documents and
certifications required by the Florida Housing Finance Corporation
as related to the Local Housing Assistance Plan, and to do all
things necessary and proper to carry out the term and conditions of
said program.

Section 3: This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____.

Chairman or Mayor or
designee

(CORPORATE SEAL)

ATTEST:

City or County Clerk

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
INFORMATION SHEET

LOCAL GOVERNMENT: MIAMI-DADE COUNTY

CHIEF ELECTED OFFICIAL (Mayor, Chairman, etc.): Mayor Alex Penelas

ADDRESS: 111 NW 1st Street, Suite 2910

Miami, Florida 33128

SHIP ADMINISTRATOR: Maritza B. Meitzner, Assistant Director

ADDRESS: 2103 Coral Way, Suite 700

Miami, Florida 33145

TELEPHONE: (305) 250-5264 FAX: (305) 250-5246

EMAIL ADDRESS: mmeitzn@miamidade.gov

ADDITIONAL SHIP CONTACTS: Tawana Thompson, Director, Development & Loan Administration

ADDRESS: 2103 Coral Way, Suite 700

Miami, Florida 33145

EMAIL ADDRESS: Tawana@miamidade.gov

INTERLOCAL AGREEMENT: YES/NO (IF yes, list other participants in the inter-local agreement):

NO

The following information must be furnished to the Corporation before any funds can be disbursed.

LOCAL GOVERNMENT EMPLOYER FEDERAL ID NUMBER: 59-6000573

MAIL DISBURSEMENT TO: Miami-Dade Housing Agency

ADDRESS: 1401 NW 7th

Miami, Florida 33125

OR: IF YOUR FUNDS ARE ELECTRONICALLY TRANSFERRED PLEASE COMPLETE THE ATTACHED FORM:

☐ NO CHANGE FROM PREVIOUS ELECTRONIC FORM SUBMITTED.

Provide any additional updates the Corporation should be aware of in the space below:

Please return this form to: SHIP PROGRAM MANAGER, FHFC 227 N. BRONOUGH ST, STE 5000
TALLAHASSEE, FL 32301 Fax: (850) 922-7253

MEMORANDUM

Agenda Item No. 6(B)

TO: Hon. Chairperson and Members
Board of County Commissioners

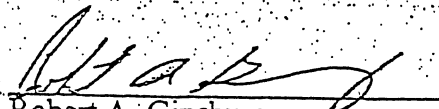
DATE: (Second Reading 3-11-03
January 23, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance amending the
Affordable Housing Advisory
Board

03.39

The accompanying ordinance was prepared and placed on the agenda at the request of
Commissioner Bruno A. Barreiro.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

Honorable Chairperson and Members
Board of County Commissioners

DATE: March 11, 2003

SUBJECT: Ordinance amending the
Affordable Housing Advisory
Board

FROM: Steve Shiver
County Manager

03.39

The proposed ordinance amending the Affordable Housing Advisory Board membership eligibility will have no fiscal impact on Miami-Dade County.

21

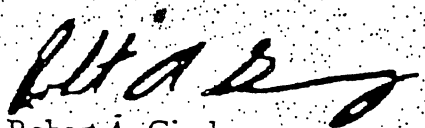
2



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: March 11, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(B)

03-39

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 6(B)

3-11-03

ORDINANCE NO.

03-39

ORDINANCE AMENDING ARTICLE VI OF CHAPTER 17 OF
THE CODE OF MIAMI-DADE COUNTY, FLORIDA
RELATING TO THE AFFORDABLE HOUSING ADVISORY
BOARD, EXPANDING MEMBERSHIP ELIGIBILITY;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 17-106 of Article VI of Chapter 17 of the Code of Miami-Dade
County, Florida, relating to the Affordable Housing Advisory Board is hereby amended to read
as follows:¹

CHAPTER 17.

HOUSING

Article VI. LOCAL HOUSING ASSISTANCE PROGRAM

Section 17-106. Affordable Housing Advisory Board

* * *

(e) Qualification. Each member of the Affordable Housing Advisory Board shall
comply with the requirements of Section 2-11.38 of the Miami-Dade County Code.
Furthermore, a citizen shall not be eligible to serve on the Affordable Housing Advisory Board if

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored
and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now
in effect and remain unchanged.

that citizen owns a financial interest in ~~[[is employed by, or serves on the board of]]~~ any entity that receives or applies for funding from Miami-Dade County through the Affordable Housing Advisory Board.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: MAR 11 2003

Approved by County Attorney as
to form and legal sufficiency:

RAG



Prepared by:

Shannon D. Summerset

Sponsored by Commissioner Bruno A. Barreiro

MEMORANDUM

Amended
Agenda Item No. 4 (L)

TO: Hon. Chairperson and Members
Board of County Commissioners


DATE: (Public Hearing 3-20-01)
March 8, 2001

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to Affordable
Housing Advisory Board

O#01-46

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Jimmy L. Morales.


Robert A. Ginsburg
County Attorney

RAG/bw

MEMORANDUM

107.07-17A METRO-DADE/ISSA-MAT MGT

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: March 20, 2001

SUBJECT: Ordinance relating to
Affordable Housing
Advisory Board

FROM: Steve Shiver
County Manager



01-46

The proposed ordinance modifies the membership requirements for the Affordable Housing Advisory Board. There is no fiscal impact associated with this Ordinance.

Fiscal/06201


TO:

Hon. Chairperson and Members
Board of County Commissioners

DATE: March 20, 2001
Amended

SUBJECT: Agenda Item No. 4(L)

FROM:


Robert A. Ginsburg
County Attorney

01-46

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires a detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

- (1) The Board of County Commissioners shall appoint thirteen (13) members:

- (i) One (1) citizen actively engaged in the residential home building industry >> in connection with affordable housing<< as required by Section 420.9076(2), Florida Statutes.
- (ii) One (1) citizen actively engaged in the banking or mortgage banking industry >> in connection with affordable housing << as required by Section 420.9076(2), Florida Statutes.
- (iii) One (1) citizen who is a representative of those areas of labor >> actively << engaged in home building >> in connection with affordable housing << as required by Section 420.9076(2), Florida Statutes.
- (iv) ~~[[One citizen designated as an advocate for low and very low income persons]]~~ >> One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing << as required by Section 420.9076(2), Florida Statutes.
- >> (v) One citizen who is actively engaged as a for-profit provider of affordable housing as required by Section 420.9076(2), Florida Statutes. <<

[[~~(v)~~]]>>(vi) << One citizen who is >> actively engaged as a not-for profit<< [[a]] provider of affordable housing as required by Section 420.9076(2), Florida Statutes.

[[~~(vi)~~]]>>(vii)<< One (1) citizen who is >> actively engaged as << a real estate professional >> in connection with affordable housing << as required by Section 420.9076(2), Florida Statutes.

>> (viii) One (1) citizen who actively serves on the local planning agency pursuant to Section 163.3174, Florida Statutes as required by Section 420.9076(2), Florida Statutes.

(ix) One (1) citizen who resides within the jurisdiction of the local governing body making the appointments as required by Section 420.9076(2), Florida Statutes. <<

(x) For the remaining [[~~seven (7)~~]] >> four (4) << member positions, the Board of County Commissioners may consider the appointment of a member of the construction industry, a local community development corporation, attorney, architect, engineer, or planning professional.

* * *

- (e) Qualification. Each member of the >>Affordable Housing Advisory<< Board shall comply with the requirements of Section 2-11.38 of the Miami-Dade County Code. >> Furthermore, a citizen shall not be eligible to serve on the Affordable Housing Advisory Board if that citizen owns a

financial interest in, is employed by, or serves on the board of any entity
that receives or applies for funding from Miami-Dade County through the
Affordable Housing Advisory Board. <<

* * *

Section 2. The requirements of this ordinance shall apply to all current members of the Affordable Housing Advisory Board as well as all future members of the Affordable Housing Advisory Board.

Section 3. Severability. If any of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared severable.

Section 4. Renumbering. The provisions of this ordinance shall be included in the Code of Laws of Miami-Dade County, Florida, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. Conflict. All ordinances and resolutions in conflict herewith are hereby superseded by this Ordinance to the extent of their inconsistency.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after the date of its enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 7. This Ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

MAR 20 2001

Approved by County Attorney as
to form and legal sufficiency.

RAG

Prepared By:

KMC

Sponsored by Commissioner Jimmy L. Morales

Approved _____ Mayor

Veto _____

Override _____

Amended
Agenda Item 4(L)
3-20-01

ORDINANCE NO. 01-46

ORDINANCE AMENDING ARTICLE VI OF
CHAPTER 17 OF THE CODE OF MIAMI-DADE
COUNTY RELATING TO THE AFFORDABLE
HOUSING ADVISORY BOARD, AMENDING
MEMBERSHIP REQUIREMENTS; PROVIDING
SEVERABILITY; INCLUSION IN THE CODE;
AND AN EFFECTIVE DATE

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 17-106 of Article VI of Chapter 17 of the Code of Miami-Dade
County relating to the Affordable Housing Advisory Board shall be amended to read as
follows:¹

CHAPTER 17.

HOUSING

Article VI. LOCAL HOUSING ASSISTANCE PROGRAM

Section 17-106. Affordable Housing Advisory Board

* * *

(c) Composition. The voting membership shall be ethnically, racially,
geographically, and gender balanced and shall be composed of the following members:

¹ Words stricken through should be deleted. Words underscored constitute the amendment proposed.
Remaining provisions are now in effect and remain unchanged.



MEMORANDUM

TO: Tawana Thompson, Director
Development & Loan Administration
Division

DATE: May 18, 2001

FROM: *Valeria Bland Thomas*
Valeria Bland Thomas, Esquire
MDHA Legal Liaison

SUBJECT: Approved Agenda Item

For your information and appropriate action, attached are copies of Agenda Items 1D4, 6G1C and 4Y approved at the April 10, 2001 BCC meeting. Please ensure compliance of these resolutions.

/vbt

Attachments

cc. Alphonso Brewster

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 20, 1997

FROM: Armando Vidal, P.E.
County Manager

SUBJECT: An Ordinance Repealing the
Surtax Council and Amending
the Affordable Housing
Advisory Board

RECOMMENDATION

It is recommended that the Board adopt the accompanying ordinance repealing Sections 29-7.1 of the County Code relating to the Surtax Advisory Council; amending Section 29-7(E)(1) of the County Code relating to the Documentary Surtax Ordinance and Sections 17-102 through 17-103, 29-7 of the County Code relating to the establishment of Dade County's Local Housing Assistance Program; and approve the creation of a new Affordable Housing Advisory Board.

BACKGROUND

As a result of the merger between the former Dade County Department of Housing and Urban Development (DCHUD), the Special Housing Programs Department (SHPD), and the Bank Partnership Program from the Office of Community and Economic Development (OCED) to create the new Metro-Dade Housing Agency (MDHA), the existing advisory boards no longer serve the purposes for which they were created. The County conducted a study of its advisory boards and concluded that it would be best to sunset boards which were not required by statute. Such is the case with the Documentary Surtax Advisory Council. The only statutory requirement for an advisory board is for the State Housing Initiatives Partnership Program (SHIP). The absence for the need of the aforementioned entity created the need for an advisory committee to provide advice on overall affordable housing matters.

The Florida Legislature passed the William E. Sadowski Affordable Housing Act, providing a dedicated source of funds for Florida's affordable housing programs. Sections 420.9070 through 420.9079 of this act create the SHIP program and require the adoption of an ordinance establishing a local housing assistance program which 1) designates the responsibility for the implementation and administration of the local housing assistance program, 2) creates an affordable housing assistance trust fund and 3) creates an affordable housing advisory committee. The accompanying ordinance incorporates these requirements.

In the past, the advisory board focused on specific programs associated with a particular funding source and the connection and coordination of similar programs of other funding sources were neglected. With the scarcity of funding for affordable housing, it is imperative that the County maximize the use and leverage of funds in an attempt to meet the great needs for housing for needy families. For instance, rather than focusing on the use of Surtax or HOME Investment Partnership Program or State Housing Initiatives Program (SHIP) as separate

Honorable Chairperson and Members
Board of County Commissioners
Page Two

housing programs with different requirements, a single coordinated affordable housing program with the optimum use of funds from each of these sources is now possible. This action does not affect the current status of the HUD Advisory Board.

With the Board's adoption of this ordinance, MDHA proposes to implement the following strategies for the provision of affordable housing: housing development assistance, down payment assistance/second mortgages, housing acquisition/rehabilitation deferred loans, and homebuyers counseling and technical assistance. These affordable housing components will increase homeownership opportunities, increase and preserve rental and single-family units, and complement the affordable housing programs currently being implemented by MDHA.

The administration of the Documentary Surtax Guidelines and Operating Procedures are being placed under the management of the MDHA director. This avoids the cumbersome process of having to submit minor revisions to routine loan operations and procedures through the extended process associated with the revision of an ordinance.

The revised affordable housing program will operate in conjunction with and as an integral part of the housing plans and strategies contained in the new Consolidated Plan required for receipt and expenditures of Community Development Block Grant, HOME Investment Partnership, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS Program funds from the United States Department of Housing and Urban Development.

MEMORANDUM

07.07-17A METRO-DADE-CLERK MAY 1997

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 20, 1997

SUBJECT: Changes in Substitute
Revised Surtax Ordinance
Agenda Item

FROM: Armando Vidal, P.E.
County Manager



The following changes have been made to the proposed revised Surtax Ordinance and included in this substitute agenda item:

- Changed administration and management of Surtax guidelines and procedures from Metro Dade Housing Agency Director to County Manager or designee
- Added references to other county departments providing support to new Affordable Housing Advisory Board (AHAB) in Section 17-107
- Added section linking revised Affordable Housing Program with County Consolidated Plan housing strategies
- Clarified reporting channel of AHAB from Board of County Commissioners to the County Manager
- Acknowledge the possible involvement of other county agencies in the implementation of the County's local housing assistance program in Section 17-105.

WHEREAS, the William E. Sadowski Affordable Housing Act is known as the Housing Initiatives Partnership Act and is recorded in the Florida Statutes at Sections 420.9070 through 420.9079; and creates the State Housing Initiatives Partnership Program; and

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 29-7 of Article I of Chapter 29 of the Code of Metropolitan Dade County relating to ~~[[Documentary]]~~ Surtax shall be amended to read as follows¹:

29-7 Documentary Surtax

* * * * *

(E) Administration Collection and Use

(1) The County hereby adopts as its controlling policy regarding expenditure of the revenue, the Documentary Surtax Guidelines and Operating Procedures, >>as they may be revised by the County Manager or designee<< ~~[[attached hereto and incorporated herein as Exhibit 1, as amended.]]~~

* * * * *

Section 2. Section 29-7.1 of Article I of Chapter 29 of the Code of Metropolitan Dade County relating to the Surtax Advisory Council is hereby repealed in its entirety.

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>doubled arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 4(S)
5-20-97

ORDINANCE NO. #97-65

ORDINANCE AMENDING SECTION 29-7 OF THE COUNTY CODE RELATING TO DOCUMENTARY SURTAX; REPEALING SECTION 29-7.1 OF THE COUNTY CODE RELATING TO SURTAX ADVISORY COUNCIL; AND AMENDING ARTICLE VI OF CHAPTER 17 OF THE COUNTY CODE RELATING TO LOCAL HOUSING ASSISTANCE PROGRAM AND THE AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING SAVINGS CLAUSE, SEVERABILITY; INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

WHEREAS, the merger between the former Dade County Department of Housing and Urban Development (DCHUD), the Special Housing Programs Department (SHPD), and the Bank Partnership Program from the Office of Community and Economic Development (OCED) created the new Metro-Dade Housing Agency (MDHA) obviated the need for the existing advisory boards to the new department; and

WHEREAS, the County conducted a study of its advisory boards and concluded that it would be best to sunset boards which were not required by statute; and

WHEREAS, such is the case with the Documentary Surtax Advisory Council, and the only statutory requirement for an advisory board is for the State Housing Initiatives Partnership Program (SHIP); and

WHEREAS, the absence for the need of the aforementioned entity created the need for an advisory committee to provide advice on overall affordable housing matters; and

Section 3. Article VI of Chapter 17 of the Code of Metropolitan Dade County relating to Local Housing Assistance Program and the Affordable Housing Advisory Committee is hereby amended as follows:

Chapter 17

Housing

Article VI Local Housing Assistance Program

Section 17-101. Definitions.

For purposes of this Ordinance, Dade County hereby adopts the definitions set forth in the State Housing Initiatives Partnership Act contained in Section 420.9071 of the Florida Statutes >>as amended or in its successor statute<< and in Chapter 91-37 of the Florida Administrative Code >>, as amended or its successor chapter.<<

~~Section 17-102. Establishment of The Local Housing Assistance Program.~~

Dade County shall use any funds received from the State Housing Initiative Partnership Program (the SHIP Program) >>and other sources<< to implement Dade County's Local Housing Assistance Program, which is hereby created and established. >>Assistance provided under this program to persons and families will be secured by a mortgage or a grant agreement.<< The Dade County Local Housing Assistance Program shall consist of the following ~~[[Programs]]~~ components:

(a) ~~[[Affordable]]~~ Housing Development ~~[[Program]]~~ >>Assistance<<. The ~~[[Affordable]]~~ Housing Development ~~[[Program]]~~ >>Assistance component<< provides funding to defray the costs of land acquisition, site development, new construction, rehabilitation and/or other costs associated with the development of single-family homeownership and affordable rental housing units. It is the intent of this program to increase housing opportunities for very-low, low- and moderate- income persons by encouraging the creation and rehabilitation of affordable housing units.

(b) Down Payment Assistance ~~[[Second Mortgage Program]]~~ The Down Payment Assistance ~~[[Second Mortgage Program]]~~

>>component<< provides down payment, >>and<< closing costs ~~[[and second mortgage]]~~ assistance to qualified very-low, low and moderate-income persons to assist in the purchase of rehabilitated or newly constructed single-family homeownership affordable housing units.

(c) Housing Acquisition/Rehabilitation ~~[[Deferred Loan Program]]~~ Dade County's Housing Acquisition/Rehabilitation ~~[[Deferred Loan Program]]~~ >>component<< provides funds to very-low, low and moderate-income persons to acquire and or rehabilitate existing homeownership affordable housing units.

>>(d) Homeownership Assistance. The Homeownership Assistance component provides funds to very-low, low and moderate-income persons to acquire newly-constructed homeownership affordable housing units.>>

~~[[e]]~~ >>(e)<< Home Buyer Counseling and Technical Assistance ~~[[Program]]~~ The Home Buyer Counseling and Technical Assistance ~~[[Program]]~~ >>component<< will provide counseling and technical services to eligible persons regarding >>the<< purchase and ~~[[financing]]~~ >>financing<< of single-family affordable housing units.

~~[[e]]~~ >>(f)<<. Other Strategies>>/Components<<. Dade County will develop and implement other affordable housing strategies >>/components, inclusive of Surtax programs within Section 29-7 of the County Code<< that are in accordance with Sections 420.9070 through 420.9079 of the Florida Statutes, Chapter 91-37 of the Florida Administrative Code, and other >>federal and<< local requirements. Such strategies >>/components<< will conform to the local housing assistance plan and shall be approved by the Board of County Commissioners.

Section 17-103. Administration and Implementation of Dade County's Local Housing Assistance Program.

(a) The >>Metro-Dade Housing Agency (MDHA) or its successor department<< ~~[[Dade County Office of Community Development and the Dade County Department of Special Housing Programs]]~~ shall be responsible for implementation and administration of the Local Housing Assistance Program. ~~[[These two agencies]]~~ >>and will<< ~~[[shall]]~~ implement the Local Housing Assistance Program in conjunction with a Local Housing Partnership which is defined in Section 5 >>17-105<< of this ~~[[Ordinance]]~~ >>Article<<. At a minimum, the ~~[[Office of]]~~

~~Community Development and the Department of Special Housing Programs]] >>Metro-Dade Housing Agency<<~~ shall be responsible for the following:

(1) Overseeing the receipt and expenditure of SHIP >>~~and other housing~~<< Program funds >>~~assigned by the County Manager~~<< in accordance with >>~~applicable~~ guidelines including<< the State Housing Initiatives Partnership Act;

(2) Coordinating with state agencies, municipalities within Dade County and other public and private entities to promote the construction and development of affordable housing; and

(3) Evaluating the effectiveness of the County's Local Housing Assistance Program and providing recommendations to the >>~~County Manager~~<< ~~[[Board of County Commissioners]]~~ on an annual basis as to the performance of the Program.

(b). The cost of administering Dade County's Local Housing Assistance Program >>~~with SHIP program funds~~<< shall not ~~[[exceed five percent (5%) of the local housing distribution of SHIP Program funds deposited into the Local Housing Assistance Trust Fund, unless the Board of County Commissioners finds by resolution that five percent (5%) of the deposited SHIP Program moneys is insufficient to adequately pay the necessary costs of administering the Local Housing Assistance Program. However, the cost of administering the program shall not]]~~ exceed ten percent (10%) of the local housing distribution of SHIP Program funds deposited into the Local Housing Assistance Trust Fund.

>>(c) The revised affordable housing program will operate in conjunction with and as an integral part of the housing plans and strategies contained in the new Consolidated Plan required to receive and expend funds from Community Development Block Grant, HOME Investment Partnership, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS Programs from the United States Department of Housing and Urban Development.<<

* * * *

The >> Metro-Dade Housing Agency or its successor department<< ~~[[Office of Community Development and the Department of Special Housing Programs]]~~ shall develop a local housing partnership so that the

implementation of the local housing assistance program involves --
>>other appropriate County agencies.<< local governments, lending institutions, housing developers, community based housing and service organizations, providers of professional services relating to affordable housing and any other persons or entities who can assist in providing housing or related support services. The partnership should encourage the use of combined resources to reduce housing costs for the targeted population.

Section 17-106. The Affordable Housing Advisory Committee
>>Board<< Powers and Duties.

(a) >>Creation and<< Designation. The Dade County ~~[[Surtax Advisory Council is designated as]]~~ >>Affordable Housing Advisory Board is hereby created and established. It shall be<< Dade County's affordable housing advisory committee as required in Section 420.9072 and Section 420.9076 of the Florida Statutes.

>>(b) Membership; compensation. The Affordable Housing Advisory Board shall consist of fifteen (15) members. Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties.

(c) Composition. The voting membership shall be ethnically, racially, geographically and gender balanced and shall be composed of the following members:

(1) The Board of County Commissioner shall appoint thirteen (13) members:

i. One citizen actively engaged in the residential home building >> as required by 420.9076(2), F.S.<<

ii. One citizen actively engaged in the banking or mortgage banking industry, >>as required by 420.9076(2), F.S.<<

iii. One citizen representative of the areas of labor engaged in home building >>as required by 420.9076(2), F.S.<<

iv. Once citizen designated as an advocate for low- and very-low-income persons >>as required by 420.9076(2), F.S.<<

v. One citizen who is a provider of affordable housing >>as required by 420.9076(2), F.S.<<

vi. One citizen who is a real estate professional >>as required by 420.9076(2), F.S.<<

vii. For the remaining ~~[[three (3)]]~~ >>seven (7)<< member positions, the Board of County Commissioners may consider the appointment of a member of the ~~[[savings and loan]]~~ >>construction<< industry, a local community development corporation, attorney, architect, engineer, ~~[[and]]~~ >>or<< planning professionals.

>>(2) The Mayor shall appoint one (1) member who is a member of the construction industry, local community development corporation, attorney, architect, engineer, planning professional.

(3) The Overall Tenant Advisory Council (OTAC) shall appoint one of its members.

Terms of Office, Tenure and Removal of Members. All members shall serve staggered terms of four (4) years. Provided, however, that the original board members shall serve staggered terms in the following manner: three (3) members shall serve an initial term of one (1) year; four (4) member shall serve an initial term of two (2) years; four (4) members shall serve an initial term of three (3) years; and four (4) members shall serve a term of four (4) years. No member shall serve more than two terms of four (4) years each. Members may be removed in accordance with the provisions of Chapter 2-11.38 of the Code of Metropolitan Dade County. Vacancies of the Board shall be filled in the same manner by which the Board members were appointed.

(e) Qualification. Each member of the Board shall comply with the requirements of 2-11.38 of the Code of Metropolitan Dade County.

(f) Organization and Procedure.

(1) Officers: Members of the Affordable Housing Advisory Board shall organize after the members have been qualified to serve and shall elect one (1) of its members as chairperson. one (1) of its members as

vice-chair person and any such other officers the advisory board may determine to be necessary. Officers shall be elected annually.

(2) By-laws, Rules and Regulations. The Board shall make, adopt and amend by-laws, rules and regulations for its own governance.

(3) Meetings. Meetings shall be conducted upon the call of the chairperson; however, the Affordable Housing Advisory Board shall meet at least six (6) times during the County's fiscal year. A majority of the members of the Board shall constitute a quorum. Minutes shall be kept of all meetings of the Board and all meetings shall be public.

(4) Committees: The Affordable Housing Advisory Board shall appoint any committees it deems necessary.

(5) Applicability of County Rules and Procedures. The Board shall operate at all times under the Florida Open Government Laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all state and County conflict of interest laws, as applicable, including the Metropolitan Dade County Conflict of Interest and Code of Ethics Ordinance, as amended. Methods of organization and the conduct of business shall be governed by the Mason's manual of Legislative Procedure (1953 Edition).<<

(g). Powers and Duties: The ~~[[Surtax Advisory Council]]~~ >>Affordable Housing Advisory Board<< as the affordable housing advisory committee shall review Dade County's established policies and procedures, ordinances, land development regulations and adopted comprehensive plan and shall make recommendations to the Board of County Commissioners regarding specific initiatives to encourage or facilitate affordable housing while protecting the ability of property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions, the creation of exceptions applicable to affordable housing, or the adoption of new policies, procedures, regulations, ordinances, or plan provisions. At a minimum, the ~~[[Surtax Advisory Council]]~~ >>Affordable Housing Advisory Board<< shall make recommendations to the Board of County Commissioners on affordable housing incentives in the following areas:

1. The definition of affordable housing
2. The expedited processing of permits for affordable housing projects.
3. The modification of impact fee requirements, including reduction of labor fees and alternative methods of fee payment.
4. The allowance of increased density levels.
5. The reservation of infrastructure capacity for housing of very-low-income and low-income persons.
6. The transfer of development rights as a financing mechanism for housing of very-low-income and low-income persons.
7. The reduction of parking and setback requirements.
8. The allowance of zero-lot-line configurations.
9. The modification of sidewalk and street requirements.
10. The establishment of a process by which the local government considers, before adoption, policies, procedures, ordinances, regulations or plan provisions that have a significant impact on the cost of housing.
11. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
12. The identification of other affordable housing incentives.
13. To the maximum extent feasible, the quantification of the affordable housing costs reduction anticipated from implementing the specific recommendation.

>>(h)<<. Additional >>SHIP<< Duties: In addition to the responsibilities prescribed in Subsection C, the ~~[[Surtax Advisory Council]]~~ >>Affordable Housing Advisory Board<< ~~[[as in]]~~ its capacity as affordable housing advisory committee shall:

1. Advise the Board of County Commissioners of how its policies impact affordable housing programs.

2. Assist in the development of a local housing assistance program pursuant to Section 420.9075 of the Florida Statutes and an affordable housing incentive plan pursuant to section 420.9076 of the Florida Statutes --

3. Make recommendations concerning the County's affordable housing waivers and deferrals of impact fees.

4. Conduct studies and identify methods to reduce development costs and shorten governmental review periods for affordable housing developments.

5. Identify additional resources for affordable housing programs.

6. Make recommendations based on the results of any economic impact study required by ordinance or resolution.

>>7.<< Make funding recommendations to the Board of County Commissioners on the expenditure and allocation of funds relating to housing development where such recommendations are not made by another Board of County Commissioners-approved advisory entity.

[[7]] >>8.<<. Any other duties related to affordable housing which may be assigned by the Board of County Commissioners from time to time:

>>(i)<<. Reporting Requirements.

1. The ~~[[Surtax Advisory Council]]~~ >>Affordable Housing Advisory Board<< in its capacity as affordable housing advisory committee shall submit an annual report of its >>SHIP<< activities to the Board of County Commissioners prior to June 30 of each year.

2. In order to assist the County in preparing the annual affordable housing report required by Section 420.9075(8), Florida Statutes, the ~~[[Surtax Advisory Council as the affordable housing advisory committee]]~~ >>Affordable Housing Advisory Board<< shall submit a report to the Board of County Commissioners by October 31~~[[st]]~~ of each year. At a minimum, the report shall include:

a. The number of people served by the Affordable Housing Programs according to income, age, family size, race and special needs such as farm workers, rural residents, and the elderly.

b. The number of units and the average costs of producing units under each of the Affordable Housing Programs.

c. The average sales price of a single-family unit and the average amount of rent charged for a rental unit based on unit size.

d. The number of mortgages made and the rate of default.

e. A description of the implementation of the affordable housing incentive plan and the resulting reduction in housing costs.

f. Such other relevant data or affordable housing accomplishments

17-107. Staff Support.

~~[[Dade County]]~~ >>Metro-Dade Housing Agency<< shall provide >>primary<< staff support to the ~~[[Surtax Advisory council when acting in its capacity as the affordable housing advisory committee]]~~ >>Affordable Housing Advisory Board. The Office of Community and Economic Development and other appropriate County department staff shall also supply support.

17-108. Liberal Construction to Effectuate Public Purpose. This article being for public purpose and for the welfare of the citizens of Dade County, Florida shall be liberally construed to effectuate the purposes hereof.<<

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared severable.

2. In order to assist the County in preparing the annual affordable housing report required by Section 420.9075(8), Florida Statutes, the ~~[[Surtax Advisory Council as the affordable housing advisory committee]]~~ >>Affordable Housing Advisory Board<< shall submit a report to the Board of County Commissioners by October 31~~[[st]]~~ of -- each year. At a minimum, the report shall include:

a. The number of people served by the Affordable Housing Programs according to income, age, family size, race and special needs such as farm workers, rural residents, and the elderly.

b. The number of units and the average costs of producing units under each of the Affordable Housing Programs.

c. The average sales price of a single-family unit and the average amount of rent charged for a rental unit based on unit size.

d. The number of mortgages made and the rate of default.

Section 5. Renumbering. The provisions of this ordinance shall be included in the Code of Laws of Dade County, Florida, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. Conflict. All ordinances and resolutions in conflict herewith are hereby superseded by this Ordinance to the extent of their inconsistency.

Section 7. Effective Date. This Ordinance shall become effective ten (10) days after the date of its enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 8. Sunset. This Ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency.

RAG

Prepared by: _____

KMC

MIAMI-DADE HOUSING AGENCY

DEVELOPMENT AND LOAN ADMINISTRATION DIVISION

AFFORDABLE HOUSING GUIDELINES



Miami-Dade Housing Agency Affordable Housing Program Guidelines

TABLE OF CONTENTS

Introduction	2
Housing Assistance	
Housing Rehabilitation	3
Home Buyer Education and Counseling	
Homeownership Assistance	
Eligible Applicants	
Income Range of Applicants to be served	
Homeownership Loan Ratios	4
Rehabilitation Loan Ratios	
Immigration Status	6
Homeownership Application Procedures	
SHIP/HOME/Surtax	7
Income Inclusions and Exclusions for Eligibility	
Eligible Properties	9
Maximum Second Mortgage Amounts & Family Size	
Maximum Loan Subsidy	
Purchase Price	
Down Payment Requirement	10
Down payment/Closing Cost Assistance	
Gifts	
Liberty City / Model City Public Housing Assistance	
Closing Costs	11
Occupancy Requirement / Ownership	
Income Qualification	12
Qualifying Using the Section 8 Voucher	13
Income Verification	
Income Recertification	14
Evidence of Clear Title	
Asset Limitations	
First Mortgage Financing	
Required Monthly Payments	
Inspection	15
Mortgage for Very-Low Income Families	
Servicing of Homeownership Loans	
Attachment I	16
Income & Mortgage Limits (Table)	

**MIAMI-DADE HOUSING AGENCY
DEVELOPMENT AND LOAN ADMINISTRATION DIVISION**

INTRODUCTION

The Miami-Dade Housing Agency (MDHA) through the Development and Loan Administration Division (DLAD) implements a wide range of housing programs designed to enhance housing opportunities for low- and moderate-income, individuals and families. Under the new comprehensive DLAD, assistance may be provided to developers, community development corporations, individuals and families in an array of programs encompassing acquisition, construction, rehabilitation, reconstruction and permanent financing in the form of soft second mortgages. Homeownership counseling is a component of all the homeowner programs. MDHA utilizes County, State and Federal funds in conjunction with private funds. The following is a list of programs offered:

HOUSING DEVELOPMENT ASSISTANCE

The Housing Development Assistance component will provide funding to defray the costs of land acquisition, site development, new construction, rehabilitation and/or other costs associated with the development of single-family homeownership and affordable rental housing units. This component is intended to increase housing opportunities for very-low, low- and moderate-income persons by encouraging the creation and rehabilitation of affordable housing units.

ACTIVITY
New Construction Single-Family Homeownership
Rehabilitation of Single-Family Homeownership
New Construction Single-Family Rental
Rehabilitation of Single-Family Rental
New Construction Multi-family Rental
Rehabilitation of Multi-family Rental
New Construction Multi-family Cooperative

HOUSING REHABILITATION

MDHA provides low interest loans to single-family homeowners to assist them in making necessary repairs to their home. The house must be owner-occupied as the homeowner's primary place of residence. See the Single Family Rehabilitation section for more details (see attachment).

HOME BUYER EDUCATION AND COUNSELING

The Home Buyer Education and Counseling component will provide education and counseling to eligible persons regarding purchasing and financing of single-family affordable housing units. Homebuyer counseling is a requirement for homeownership assistance.

ACTIVITY
Home buyer education and counseling.

HOMEOWNERSHIP ASSISTANCE

The Homeownership Assistance component will provide funds to very-low, low- and moderate-income persons to acquire newly-constructed and existing affordable housing units.

ACTIVITY
Single-Family Acquisition (<i>new construction</i>)
Single-Family Acquisition (<i>existing</i>)
Section 8 Housing Choice Voucher (<i>new or existing</i>)

ELIGIBLE APPLICANTS

Loans are limited to "families" defined as: single individuals or two or more persons related by blood, marriage, adoption, guardianship or operation of law; or are not so related; and may include one or more individuals (*who have not attained the age of 18*) being domiciled with a parent or another person having legal custody of such individual. Where not restricted by federal, state or other funding regulations, designee of such parent or the person having such custody, with the written permission of such parent or other persons who occupied the same unit, may also be considered. The program is not limited to first time home buyers, however, the proceeds from previous home ownership may be considered under "Asset Limitations" section.

Priority assistance will be given to families that are being displaced from housing by Governmental actions. Program participation will be limited to "one time only" per family.

INCOME RANGE OF APPLICANTS TO BE SERVED

The applicant household income may range from very-low- to moderate-income depending on the funding source being invested in the property. Applicant's household income must meet the income criteria at the time they apply for mortgage assistance.

Funding Source	Surtax	HOME	SHIP
Maximum applicant income limits as a % of the area median income (AMI)	120%	80%	120%

Note: Funding source income limits may be further restricted by program guidelines.

Surtax: Approximately 75% of the total program must benefit families whose incomes do not exceed 80% of AMI.

HOME: The total program must benefit families whose incomes do not exceed 80% of the AMI.

SHIP: Approximately 75% of the total program must benefit families whose incomes do not exceed 80% of the AMI. At least 30% of all SHIP funds must be utilized to assist very low-income families (at or below 50% AMI). Approximately 25% of the total program may benefit families who income above 80%, but no more than 120% of the AMI.

HOMEOWNERSHIP LOAN RATIOS

Loans to applicants allow for the following ratios:			
Funding Source:	Surtax	HOME	SHIP
Monthly housing expense-to-income	30%	30%	30%
Monthly total obligations-to-income	45%	38%	45%

Participating lenders are to bring the ratios as close to the maximum as possible.

IMMIGRATION STATUS

Applicants for any of the programs and/or activities mentioned herein are subject to immigration regulations and eligibility as determined by USHUD and/or Miami-Dade County regulations. Benefits may be prorated for legal aliens.

HOMEOWNERSHIP APPLICATION PROCEDURES

There are three ways in which persons interested in purchasing a property located in Miami-Dade County may participate through MDHA's program.

One way is to purchase a property from a developer that has obtained a funding allocation or approval from MDHA for that property, or working with a private seller and/or realtor to purchase an existing property on the open market.

Developers and lenders may pre-qualify the applicants. However, all applicants must be approved by a participating lender. Once the lender takes an application, a 'reservation request' and a copy of the application should be forwarded to MDHA in order to reserve the required secondary mortgage financing for the applicant. Upon completion of processing and loan approval, the lender will send the completed file to MDHA for approval and closing.

If the property the applicant is purchasing is under construction, the participating lender may submit the approved file to MDHA prior to issuance of the certificate of occupancy, only if the property is at least 50% complete.

Lastly, families or individuals who plan to purchase using the Section 8 Housing Choice Voucher must: 1) receive a homeownership approval letter from MDHA's Private Rental Housing division (Section 8), for referral to the Development and Loan division (DLAD); 2) meet with DLAD staff to receive a lending prequalification letter; 3) select a home and execute a sales contract; and 4) go to an approved lender for mortgage financing. The bank will process the applicant's file in conjunction with DLAD.

SHIP/HOME/SURTAX

Income Inclusions and Exclusions for eligibility purposes.

Annual Income Inclusions	Annual Income Exclusions
<p>Annual income inclusions defined under HUD 24 CFR Section 5.609(b) are listed as follows:</p> <ul style="list-style-type: none"> ✦ The gross amount (before any payroll deductions) of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and any other compensation for personal services received by all eligible household members; ✦ The net income from the operation of a business or profession; ✦ Interest, dividends, and other net income of any kind from real or personal property; ✦ The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits; ✦ Payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay; ✦ Welfare or other need-based payments to families or individuals that are made under programs funded separately, or jointly by federal, state or local governments; ✦ Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling; and, ✦ All regular pay, special pay and allowances of a member of the Armed Forces. ✦ SSI income may be subject to Federal restrictions which may limit their use. Note: Surtax allows for income averaging for the past two years for applicants that are self-employed; earn commission, tips, bonuses, and overtime. Overtime may be excluded if documentation is provided reflecting that it has not been earned for two consecutive pay periods and is not likely to continue. 	<p>The most common types of excluded annual income include:</p> <ul style="list-style-type: none"> ✦ Income from employment of children (including foster children) under the age of 18 years. ✦ Payments received for the care of foster children or adults; ✦ Lump-sum additions to family assets, such as inheritances, insurance payments; ✦ Reimbursement for the cost of medical expenses for any family member; ✦ Income of a live-in aid; ✦ The full amount of student financial assistance paid directly to the student or to the educational institution; ✦ The special pay to a family member serving in the Armed Forces who is exposed to hostile fire; ✦ Income from training programs funded by HUD; ✦ Temporary, nonrecurring or sporadic income (including gifts); ✦ Reparation payments paid by a foreign government to persons who were persecuted during the Nazi era; ✦ Income from earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse); ✦ Adoption assistance payments in excess of \$480 per adopted child; ✦ Deferred payments received in a lump sum; ✦ Refunds or rebates for property taxes paid on the dwelling unit; or ✦ Services and equipment needed to keep a developmentally disabled family member at home.

INCOME INCLUSIONS FOR CREDIT PURPOSES		
SURTAX	SHIP	HOME
Conventional	Conventional	Conventional
Credit Documentation		
Surtax	SHIP	HOME
Verification of employment or Two most recent pay stubs, Tax returns and W-2 for the previous two years or IRS form 1722 (which gives the applicants income and filing status may be requested) If self-employed, profit and loss statement as of the date of application, Three most recent monthly bank statements Rental verification Factual credit report Verification of Assets	Same as Surtax plus additional verifications as required by the State.	Same as Surtax plus additional verifications as required by USHUD.

Dated verifications must be completed and signed accordingly by applicants and verifiers. All verifications are valid for 120 days, including the credit report.

Eligibility Verification (Surtax, HOME, SHIP)
<p>Household occupants shall be verified by using any one or more of the following items:</p> <p>Birth Certificates on which the parents/applicant's name is listed.</p> <p>School records which give dependent's residing address.</p> <p>Court-ordered, letters of guardianship/adoption.</p> <p>Copy of divorce decree and property settlement agreement.</p> <p>In cases where the applicant claims to be separated, must provide the following additional documentation for the spouse that will not occupy the property:</p> <p>Joint custody: the children live with parent for 50% of the year, the children should be included among the members in a household.</p> <p>IRS tax return, driver's license, voter's registration card, separation agreement, utility bills.</p>

ELIGIBLE PROPERTIES

Detached single-family units, condominium units, approved manufactured homes, studios, and town homes. Eligible properties to be acquired under the Homeownership Programs may be owner-occupied or vacant. However, under no conditions will the property be leased to a tenant if the acquisition triggers the relocation requirement. Under the Bank Partnership Program all properties must have received the certificate of occupancy for at least 12 months prior to closing. No pools or Jacuzzi's are allowed unless as part of a multifamily development.

MAXIMUM SECOND MORTGAGE AMOUNTS - LOW TO MODERATE-INCOME INDIVIDUAL AND FAMILIES

(See attachment - I)

FAMILY SIZE FOR SECOND MORTGAGE SUBSIDY

Second mortgages will be limited in accordance with the maximum subsidy level for income and family size. Families may purchase a house that is larger than their needs by either additional down payments and/or higher monthly payments. The relationship between family size and house size is as follows:

<u>House Size</u>	<u>Number of People</u>	
0 bedroom	1 person	
1 bedroom	1 person	If HOME funds are used, please see applicable HOME regulations.
2 bedroom	1 person	
3 bedroom	1 person	
4 bedroom	3 persons	
5 bedroom	4 persons	

MAXIMUM SUBSIDY LOAN AMOUNT

The mortgage loan amount is based on the Income and Mortgage Limits Table *(see attachment - I)*

PURCHASE PRICE

Unless limited by funding source, the maximum purchase price of eligible properties is \$145,000 or no more than \$89 per square/feet (new, single family homes only) of (air conditioned) living space. See attachment - I.

DOWN PAYMENT REQUIREMENTS

There is a minimum down payment requirement of 3% of the purchase price. The minimum down payment for the Infill Housing Initiative is \$500 and the USHUD Section 8 Homeownership Demonstration Program is 3% of the purchase price, which 2% may be a grant or a gift.

DOWN PAYMENT AND / OR CLOSING COSTS ASSISTANCE

This activity allows for the provision of down payment and/or closing costs assistance. The assistance is only available as a component of secondary mortgage financing, to qualified very-low to moderate income persons purchasing an affordable housing unit funded by Miami-Dade County through MDHA.

Through a special Congressional allocation, public housing residents living in the Liberty City / Model City area may receive the lesser of, up to \$40,000 or 30% of the sales price as down payment assistance. Second mortgage assistance would be based on the net sales price (the sales price minus the down payment assistance). All other down payment requirements apply.

GIFTS

A borrower can satisfy part of the cash requirement for closing with funds received as gifts from relatives, or cash savings clubs. For underwriting purposes, a "relative" is a spouse, parent, stepparent, legal guardian, grandparent, brother, sister, or child.

In general, before using funds from gifts, a borrower needs to use his or her own funds to make a down payment toward the sales price of a property. No more than 2% may come from grants, gift from relatives or unsecured loans from a nonprofit organization, a public agency, or a lender. Any second mortgage assistance will be based on the net sales price (sales price minus down payment and/or assistance).

Public housing residents living within the Liberty City / Model City area are eligible to receive up to \$40,000 or 30% of the sales price (whichever is less) toward the down payment for the purchase of a first home. These funds are made available as part of a special federal allocation, and *are available on a first come, first serve basis until all funds have been expended*. Any second mortgage assistance will be based on the net sales price (sales price minus down payment and/or assistance).

To verify a gift, obtain a signed letter from the donor that includes:

- The specific dollar amount of the gift and the date the funds were transferred;
- The donor's name, address, telephone number, and relationship to the borrower; and
- A statement from the donor saying that no repayment is expected
- In cases where the gift funds have already been transferred, staff must verify that sufficient funds to cover the gift have been transferred from the donor's account to the borrower's account or that the donor's account has adequate funds to cover the amount of the gift.

CLOSING COSTS

Some activities allow closing costs in an amount up to 3% of the purchase price which may be included in the second mortgage loan but not exceeding the maximum subsidy, on a case-by-case basis. Additionally, all developers and CDC's awarded funding are required to pay the following closing costs for the borrowers:

- Abstracting costs and Owner's and Lender's Title Insurance
- Cost of the Boundary Survey
- Documentary Stamps on the Warranty Deed

Developers and CDC's that have agreed to pay additional costs are required to do so.

OCCUPANCY REQUIREMENT / OWNERSHIP

The Applicant must use the property as the primary residence which will be reflected by a deed restriction or covenant and will be stated in the loan documents. Ownership must be in fee simple title; a 99 year leasehold interest; or ownership or membership in a cooperative. In cases of a 99 year leasehold interest the remaining lease term must equal the term of the loan.

INCOME QUALIFICATION

Annual income is the gross amount of income anticipated to be received by all adults in a family during the 12 months following the effective date of the income determination.

When calculating income, please note that SHIP, and HOME funding require that the anticipated income is to be based on present income. Surtax allows for income averaging for the past two years for applicants that are self-employed, earn commission, tips, and overtime.

Florida property laws do not legally recognize separation as it relates to property ownership. Consequently, when an applicant is legally married and separated, the estranged spouse must sign the mortgage and the subsidy recapture provision and his or her income must be counted as part of the annual household income. This always applies in cases of temporary separation when a spouse does not live in the house due to military service, attendance in college, offshore work, or other instances where a family member is temporarily residing in another location.

In some situations, it seems clear that the applicant has no plan to reunite with the estranged spouse and the separation is permanent. The flexible nature of these programs is intended for local governments to determine the use of funds while ensuring *accountability* and the decision about a permanent separation and should obtain as many details as possible to document the subsidy recipient. In cases of permanent separation, the applicant and the estranged spouse maintain separate residences and file separate tax returns. The applicant must provide proof of separation by providing copies of IRS tax returns, drivers license, legal separation agreement, utility bills, etc., the estranged spouse does not need to be counted in the household size and his or her income should not be included in household income. The estranged spouse would be required to execute a 'quit claim' deed at closing.

QUALIFYING USING THE SECTION 8 VOUCHER

If an applicant is purchasing using a Section 8 Housing Choice voucher, the Housing Assistance Payment (HAP) may be added to the applicant's annual income to determine the maximum first mortgage amount or the HAP may be deducted from the principal and interest of the first and/or second mortgage; whichever provides the greatest benefit to the homebuyer. The HAP is the difference between the voucher amount and the applicant's portion of the rent.

PLEASE NOTE that this amount is subject to change, because it will be based on the property to be purchased. The revised amount must be approved and authorized by the Private Rental Housing Division. Consequently, it is recommended that all clients obtain MDHA approval prior to contract execution.

INCOME VERIFICATION

Applicant's income will be verified using one or more of the following documents:

- Last two pay stubs from employer and past 2 years tax returns.
- If self-employed, past 2 years tax returns will be required and a profit and loss statement as of the date of application.
- Verification of employment
- Any other source of income that can be readily verified i.e., Social Security, Pension Retirement, and Child Support.
- SSI income may be subject to Federal restrictions, which may limit its use.
- Interest income, etc.
- And any other form of verification as required by funding.

In addition to Federal Income Tax Returns the number of household occupants shall be verified using any one or more of the following items:

- Birth Certificates on which the parent/applicant's name is listed.
- School records which give the parent's name and address.
- Court-ordered letters of guardianship/adoption.
- Copy of final divorce decree and settlement agreement.

INCOME RECERTIFICATION

Miami-Dade housing Agency reserves the right to recertify the income of homebuyers. Particularly, those who have a graduated second mortgage payment. Annual income recertification will be required of all homebuyers who purchase using the Section 8 Housing Choice voucher.

EVIDENCE OF CLEAR TITLE

Title insurance will be required. In the case of an extremely-low-income family or individual, the costs for title insurance may be included in the loan amount provided that it will not cause the total loan amount to exceed the maximum allowable subsidy.

ASSET LIMITATIONS

Total assets (*excluding pensions, annuities and the like*) of an eligible family applying for a maximum second mortgage will be limited to \$10,000. Any excess assets must be used for a higher down payment or to cover closing costs.

FIRST MORTGAGE FINANCING

First mortgage financing must be in compliance with MDHA's lending agreement. MDHA will not approve second mortgage financing for loans whose first mortgage requires a balloon payment, has an adjustable rate, carries an unusually high interest rate, or includes prepaid finance charges.

REQUIRED MONTHLY PAYMENTS

Monthly payments on the first mortgage including principal, interest, taxes and insurance should equal 30% of the family's gross monthly income unless the first mortgage rate is below market rate or as may be determined on a case-by-case basis. MDHA may make exceptions to the 30% payment requirement and allow lower payments on the first mortgage, in cases where the family's inability to obtain full mortgage commitments resulted from financial obligations relating to health care or other justifiable unusual situations.

Loan payments may be deferred, principal only or principal and interest. Deferred loans may be given to individuals and families at or below 40% of the median income for the area, on an as needed basis. The rate will be 1%-3% for persons with an annual income at or below 80% of the median and 4% - 6% for persons with an annual income above 80.01% of the

median. Unless deferred, MDHA requires a *minimum* \$50 monthly loan payment.

INSPECTION

On newly-constructed properties funded through Miami-Dade County, the County will provide random inspections during the construction of the home and detailed final inspections prior to the placement of the second mortgage.

On existing properties, Miami-Dade County will provide a Housing Code inspection prior to the commitment of second mortgage financing. MDHA cannot provide second mortgage financing to properties that: 1) do not meet the County's current Code; 2) have open permits (either County or municipal); and 3) have illegal additions or structures on the property.

Environmental clearance will be required when using federal funds.

MORTGAGES FOR VERY-LOW-INCOME FAMILIES

In those rare cases where a very-low-income individual or family cannot financially qualify under the second mortgage provisions of these Guidelines and Procedures, funds may be used for a 100% CLV first or second mortgage based on the appraised value or sales price whichever is lower. The rate and term will be determined by MDHA staff on a case by case basis.

To be eligible for this mortgage, the very-low-income family must make available documentation acceptable to the County which shows that the family could not qualify for such second mortgage. All applicable provisions of these Guidelines and Procedures shall apply to the 100% percent mortgages for low-income families.

SERVICING OF HOMEOWNERSHIP LOANS

All homeownership loans will be serviced by either a private firm specializing in mortgage loan servicing or by the loan servicing unit operating under MDHA and DLAD. All costs associated with the servicing of homeownership loans shall be paid out of the loan program operating budget. The minimum payment and any others payments required herein can be waived by MDHA for up to one year in hardship situations.

If the family sells, transfers, rents or vacates the property, the balance of the mortgage loan, including accrued interest, will be due upon vacating, selling, renting or transferring of the property. All loans, except those whose terms provide for full amortization of principal and interest are assumable. A new buyer, if income eligible, may qualify for and assume the

remaining balance of the loan with MDHA approval. Loans providing for full amortization of principal and interest are not assumable.

All homes purchased using MDHA financing must be used and occupied as the family's primary residence. The property may not be rented, leased, or otherwise used as an income or investment property at any time that the loan remains in effect. If at any time it is discovered that the property has been rented or leased without said consent, the County may at its option, accelerate the remaining balance due on the loan and demand immediate payment in full thereof.

INCOME AND MORTGAGE LIMITS

Interest Rate*	Deferred	0%	1%	2%	3%	4%	5%	6%
FAMILY SIZE	30%	40%	50%	60%	70%	80%	Median	
	< E. LOW		< V. LOW			< -LOW/MOD >	100%	120%
1	11,050	14,760	18,450	22,140	25,830	29,500	36,900	44,280
2	12,650	16,880	21,100	25,320	29,540	33,750	42,200	50,640
3	14,250	18,960	23,700	28,440	33,180	37,950	47,400	56,880
4	15,800	21,080	26,350	31,620	36,890	42,150	52,700	63,240
5	17,050	22,760	28,450	34,140	39,830	45,550	56,900	68,280
6	18,350	24,440	30,550	36,660	42,770	48,900	61,100	73,320
7	19,600	26,120	32,650	39,180	45,710	52,300	65,300	78,360
8	20,850	27,840	34,800	41,760	48,720	55,650	69,600	83,520

(REVISED February 2, 2004)

MAXIMUM SUBSIDY LEVELS BASED ON MEDIAN INCOME AND FAMILY SIZE

(REVISED 6/27/03)

% of Median income for family size of 1-8	< 30%	< 40%	< 50%	< 60%	< 70%	< 80%	< 90%	< 100%	< 120%
Maximum % of subsidy amount	60%	55%	50%	45%	40%	35%	30%	25%	20%

Funding Source for all funds	Surtax	HOME	SHIP
** Maximum purchase price of property allowed by program No more than \$89 per square/feet (new, single family homes only)	\$145,000	\$138,985	New Construction \$119,400 Existing Construction \$113,418
MAXIMUM UNIT SIZE 1. Household of 1 2. Household of 2 3. Household of 3 4. Household of 4	Up to 3 Bedrooms Up to 3 Bedrooms Up to 4 Bedrooms Up to 5 Bedrooms	Up to 3 Bedrooms Up to 3 Bedrooms Up to 4 Bedrooms Up to 5 Bedrooms	Up to 3 Bedrooms Up to 3 Bedrooms Up to 4 Bedrooms Up to 5 Bedrooms

** Except for previous developers allocations.

* Final rate will be determined based on ratios, on a case-by-case basis.

SINGLE-FAMILY REHABILITATION ASSISTANCE LOAN PROGRAMS

A. Rehabilitation Loans

A rehabilitation loan may be made to an eligible applicant for the purpose of fully bringing his/her property up to the Property Rehabilitation Standards.

1. Eligibility

The criteria to determine applicant eligibility to participate in one of the loan programs, incorporates the following three main areas as follows:

(a). Areas

Anywhere in the Dade County area, except as limited by the funding source. Some sources, may require that the participating jurisdiction (PJ's) provide a match of not less than 25% of the total funds required for the purchase of the individual property or project costs.

(b). Properties

- (1). Owner-occupied single-family residences. *(see definitions)*.
- (2). The property must be in need of rehabilitation in order to meet Dade County Minimum Housing and the County's Property Rehabilitation Standards.

(c). Applicants

- (1). The applicant must be an individual or family who owns and occupies a single-family residence
- (2). The applicant must be either a low- to moderate-income family as defined herein.

2. Basic Loan Terms and Conditions

(a). Loan Terms

The repayment terms for a rehabilitation loan may vary up to a maximum of 20 years or three-fourths of the remaining economic life of the property after rehabilitation whichever is less.

(b). **Interest Rates**

The rehabilitation loan interest rate shall be 0% - 3% percent for low-income families and 4% - 6% percent for moderate-income families. Depending on the borrower's ability to pay, the term of the loan may be less than 20 years if the resulting monthly housing expenses (*as defined herein*) will be less than 20 percent of gross family income. In the case of a loan deferment, no interest shall be charged during the period of deferral.

(c). **Deferred Payment**

An applicant who meets all the other eligibility criteria for a rehabilitation loan may also be eligible for a deferment of the monthly payments on all or a portion of the loan. The amount of the deferred payment portion of the loan shall be the lesser of the following:

- (1). \$20,000; or
- (2). That portion of the cost of rehabilitation which cannot be paid for with any available loan that can be amortized with a total monthly payment, including principal, interest, taxes and insurance equal to 20% of gross monthly income. If the County has a first lien position, the County must escrow for taxes and insurance.
- (3). The \$20,000 maximum deferred amount may be increased by the Department Director or his/her designee when, during rehabilitation, work items which were not anticipated or are necessitated by change in local codes or ordinances, are subsequently required.

(d). **Loan Amount**

The maximum amount of a residential rehabilitation loan shall not exceed \$30,000 unless the loan includes the refinancing of existing indebtedness in which case the loan shall not exceed \$44,000. In no instance should the total property indebtedness exceed 95% of the as-is value of the structure plus the cost of rehabilitation.

Very small loans are acceptable but will be carefully scrutinized. Loan servicing and application processing cost considerations make it necessary to require that all loans, except for deferred loans shall be repaid at the rate of at least \$20.00 a month.

The \$30,000 maximum loan amount for regular cases and \$44,000 for refinanced cases may be increased by the Department Director or his/her designee when, during rehabilitation, work items which were not anticipated or are necessitated by change in local codes or ordinances, are subsequently required.

(e). **Security Instruments**

All rehabilitation loans shall be secured by a mortgage or similar security instrument.

Any mortgage used as security for a rehabilitation loan may not be transferred or assigned to another person without prior approval by the County.

(f). **Refinancing**

A rehabilitation loan may be used to refinance existing indebtedness as part of the cost of rehabilitation.

In order for a rehabilitation loan to include an amount to refinance existing debt secured by the property, the sum of the monthly principal and interest payment for a loan for rehabilitation costs, the monthly payments on existing debt secured by the property, and the taxes and hazard insurance (*monthly housing expense*) must exceed 20 percent of the applicant's total monthly income.

Refinancing ordinarily will be considered only when the cost of rehabilitation is greater than the amount of indebtedness to be refinanced.

If it is determined that making a rehabilitation loan which rehabilitation costs represent less than 50% of the loan amount is necessary to meet property rehabilitation standards objectives, a justification shall be submitted in writing to the MDHA director or his/her designee, for review and approval. This will only apply to extreme hardship cases.

To be eligible for refinancing, the applicant must have owned and occupied the property for one year prior to loan application.

(g). **Security Position**

The rehabilitation loan may be subordinate to an existing mortgage if adequate security is established on the property to be rehabilitated. In no event, shall the rehabilitation loan be in a fourth or more subordinate security position, except when an approved supplemental loan is required.

B. Emergency Loans

An emergency loan may be made to an eligible applicant for limited repairs to correct immediately hazardous and potentially hazardous conditions, which if not corrected may endanger the health and safety of the occupants.

1. Eligibility

The eligibility requirements relate to the areas in the County in which loans may be approved, the type properties which may be rehabilitated, and the individuals who are to benefit from the loan.

(a). **Areas**

- (1). Anywhere in the Dade County area, except as limited by the funding source. Some sources, may require that the participating jurisdiction (PJ's) provide a match of not less than 25% of the total funds required for project costs.

(b). **Properties**

- (1). The property must be an owner-occupied single-family residence (*see definitions*), subject to the restrictions of the funding source.
- (2). The property must need rehabilitation to correct a condition which is now hazardous or a defect which is so substantial that it will potentially create a hazardous condition. The immediately hazardous condition must be documented by an official emergency repair order issued by an appropriate code enforcement official.
- (3). The property must be in such condition that rehabilitation to fully meet the Property Rehabilitation Standards is not physically feasible.
- (4). The value of the property must not exceed the County median value for similar properties as established annually.

(c). **Applicants**

- (1). The applicant must be a very-low to moderate-income family as defined herein.
- (2). The applicant's income must be so low as to make full compliance with the PRS financially infeasible.

2. **Basic Loan Terms and Conditions**

(a). **Loan Terms**

The repayment terms for an emergency loan may vary up to a maximum of 20 years or three-fourths of the remaining economic life of the property after rehabilitation, whichever is less. The terms may also be based upon ability to repay the loan as described in A.2.b. above. Repayment may be deferred in exceptional cases, as described below.

(b). **Loan Amount**

- (1). Emergency loans to correct hazardous conditions should not exceed the lesser of the following:
 - (a). The actual cost of repairs necessary to correct or remove the hazardous conditions, or,

(b). \$20,000

(2). Very small loans are acceptable but should be carefully scrutinized. Loan servicing and application processing cost considerations make it necessary to require that all loans, except for deferred payment loans, shall be repaid at the rate of at least \$20.00 per month.

(3). The \$20,000 maximum loan amount may be increased by the Department Director or his/her designee when, during rehabilitation, work items which were not anticipated or are necessitated by change in local codes or ordinances, are subsequently required.

(c). **Interest Rates**

The emergency loan shall bear interest at the rate of zero (0%) to three (3%) percent per year. However, in the case of a deferred payment loan, no interest shall be charged during the deferral period.

(d). **Deferred Payment**

An applicant who meets all other eligibility criteria for an emergency loan may also be eligible for a deferment of the monthly payments on all or a portion of the loan. The amount of the deferred payment portion of the loan shall be the lesser of the following:

(1). \$20,000; or

(2). That portion of the cost of rehabilitation which cannot be paid for with any available loan that can be amortized with a total monthly payment, including principal, interest, taxes, and insurance equal to 20% of gross monthly income.

(3). The \$20,000 maximum deferred amount may be increased by the Department Director or his/her designee when, during rehabilitation, work items which were not anticipated or are necessitated by change in local codes or ordinances, are subsequently required.

(e). **Security Instrument**

(1). All emergency loans shall be secured by a mortgage or similar security instrument.

(2). Any mortgage used as security for an emergency loan may not be transferred or assigned to another person except a surviving spouse, without prior approval by the County.

(f). **Refinancing**

An emergency loan cannot be used to refinance existing indebtedness.

(g). **Security Position**

The emergency loan may be subordinated to liens attached to the property at the time the loan is closed.

General Property Improvements (GPI)

General Property Improvements may be included in the rehabilitation loan. These include improvements which the homeowner elects to undertake but are not required by the Minimum Housing Code of the Property Rehabilitation Standards. No more than 40% of the loan proceeds utilized for rehabilitation can be spent on GPIs. To be eligible for GPIs the applicant must agree to do all required rehabilitation. Emergency loans and deferred payment loans cannot include GPI.

Loan Processing and Approval

All rehabilitation loans will be processed by the staff of the Development and Loan Administration Division. All shall be reviewed and approved or disapproved by the Metro Dade Housing Agency Department Director, or his/her designee. The Director or his/her designee may waive payment or principal and interest for a period of up to one year if he/she determines that such action is necessary to prevent severe financial hardship to the owner.

Loan Servicing

All rehabilitation loans will be serviced by either a private firm specializing in mortgage loan servicing, or by the loan servicing unit operating under the Miami-Dade Housing Agency. All costs associated with the servicing of rehabilitation loans shall be paid out of the loan program operating budget.

Procedure Incorporated by Reference

Technical and administrative procedures and requirements for processing rehabilitation loans not specifically addressed in these guidelines shall conform to those set forth in the Rehabilitation Financing Handbook 7375.1 as revised, published by the U.S. Department of Housing and Urban Development and used as guidelines for processing Section 312 funded rehabilitation loans.

Warranty Repairs

All rehabilitation contracts carry a warranty repair from the contractor for one year, to correct such defects due to faulty materials, equipment or workmanship. Roofs have a minimum five (5) year warranty. A special account will be established by the Miami-Dade Housing Agency to correct those warranty repairs in case the contractor is out of business and not able to be located by the homeowner or the Miami-Dade Housing Agency.

DISCLAIMER

All program guidelines policies and procedures are subject to amendment, revision and or termination by the Board of County Commissioners (BCC). Assistance is subject to the availability of funds.